General Assembly

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Resolution adopted by the General Assembly

[on the report of the First Committee (A/63/389)]

63/240. Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations, and reaffirming its respect for and commitment to international law,

Recalling its resolutions 46/36 L of 9 December 1991, 51/45 N of 10 December 1996, 51/47 B of 10 December 1996, 56/24 V of 24 December 2001, 60/69 and 60/82 of 8 December 2005, and 61/89 of 6 December 2006,

Recognizing that arms control, disarmament and non-proliferation are essential for the maintenance of international peace and security,

Reaffirming the inherent right of all States to individual or collective self-defence in accordance with Article 51 of the Charter,

Acknowledging the right of all States to manufacture, import, export, transfer and retain conventional arms for self-defence and security needs, and in order to participate in peace support operations,

Recalling the obligations of all States to fully comply with arms embargoes decided by the Security Council in accordance with the Charter,

Reaffirming its respect for international law, including international human rights law and international humanitarian law, and the Charter,

Taking note of and encouraging relevant initiatives, undertaken at the international, regional and subregional levels between States, including those of the United Nations, and of the role played by non-governmental organizations and civil society, to enhance cooperation, improve information exchange and transparency and implement confidence-building measures in the field of responsible arms trade,

Recognizing that the absence of common international standards for the import, export and transfer of conventional arms is one of the contributory factors to conflict, the displacement of people, crime and terrorism, thereby undermining peace, reconciliation, safety, security, stability and sustainable social and economic development,

Acknowledging the growing support across many regions for concluding a legally binding instrument negotiated on a non-discriminatory, transparent and multilateral basis, to establish common international standards for the import, export and transfer of conventional arms, including through regional and subregional workshops and seminars held in order to discuss the initiative launched by the General Assembly in its resolution 61/89,

Taking due note of the views expressed by Member States on the feasibility, scope and draft parameters for a comprehensive, legally binding instrument establishing common international standards for the import, export and transfer of conventional arms, submitted to the Secretary-General at his request,[1]

Welcoming the report of the Secretary-General, prepared with the assistance of the Group of Governmental Experts,[2] which states that, in view of the complexity of the issues of conventional arms transfers, further consideration of efforts within the United Nations to address the international trade in conventional arms is required on a step-by-step basis in an open and transparent manner to achieve, on the basis of consensus, a balance that will provide benefit to all, with the principles of the Charter of the United Nations at the centre of such efforts,

Determined to prevent the diversion of conventional arms, including small arms and light weapons, from the legal to the illicit market,

1. *Endorses* the report of the Secretary-General[2] prepared with the assistance of the Group of Governmental Experts, taking into account the views of Member States;[1]

2. *Encourages* all States to implement and address, on a national basis, the relevant recommendations contained in paragraphs 28 and 29 of the report of the Secretary-General, and commends all States to carefully consider how to achieve such implementation in order to ensure that their national systems and internal controls are at the highest possible standards to prevent the diversion of conventional arms from the legal to the illicit market, where they can be used for terrorist acts, organized crime and other criminal activities, and further calls upon those States in a position to do so to render assistance in this regard upon request;

3. *Decides*, in order to facilitate further consideration on the implementation of the relevant recommendation contained in paragraph 27 of the report of the Secretary-General on a step-by-step basis among all States Members of the United Nations, in an open and transparent manner, to establish an open-ended working group, to meet for up to six one-week sessions starting in 2009, of which the two sessions foreseen in 2009 will be held in New York, from 2 to 6 March and 13 to 17 July, respectively;

4. *Decides also* that the open-ended working group will hold a one-day organizational session in New York by 27 February 2009 in order to agree on the organizational arrangements connected with the working group, including the dates and venues for its future substantive sessions;

5. *Decides further* that the open-ended working group will, during 2009, further consider those elements in the report of the Group of Governmental Experts[2] where consensus could be developed for their inclusion in an eventual legally

[1] See A/62/278 (Parts I and II) and Add.1–4.

[2] See A/63/334.

binding treaty on the import, export and transfer of conventional arms which provides a balance giving benefit to all, with the principles of the Charter of the United Nations and other existing international obligations at the centre of such considerations, and transmit an initial report from the working group to the General Assembly for consideration at its sixty-fourth session;

6. *Requests* the Secretary-General to transmit the replies of Member States and the report of the Group of Governmental Experts to the open-ended working group and to render the working group all necessary assistance, including the provision of essential background information and relevant documents;

7. *Decides* to include in the provisional agenda of its sixty-fourth session an item entitled "Towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms"

74th plenary meeting
24 December 2008